

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OMAHA CONSTRUCTION INDUSTRY)
PENSION FUND, BOARD OF)
TRUSTEES OF THE OMAHA)
CONSTRUCTION INDUSTRY)
PENSION FUND, OMAHA)
CONSTRUCTION INDUSTRY HEALTH)
AND WELFARE FUND, and BOARD)
OF TRUSTEES OF THE OMAHA)
CONSTRUCTION INDUSTRY HEALTH)
AND WELFARE FUND,)

Plaintiffs,)

v.)

RUPERT CONSTRUCTION)
COMPANY, Inc., A Nebraska)
Corporation,)

Defendant.)
_____)

8:08CV483

ORDER

This matter is before the Court on the stipulation for dismissal filed by the parties in this case. Filing No. 33. The Court finds an Order should be entered dismissing the case.

THEREFORE, IT IS ORDERED that this case is dismissed with prejudice pursuant to the stipulation filed by the parties, Filing No. 33, each party to pay its own costs, and a complete record waived.

DATED this 24th day of November, 2009.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge